

REMARKS

1. Related Applications

This application is a continuation of U.S. Serial No. 09/334,125 ('125 Application), filed June 15, 1999, which is a continuation of U.S. Serial No. 08/370,571 ('571 Application), filed January 18, 1995, which is a continuation-in-part of U.S. Serial No. 08/184,377 ('377 Application), filed January 21, 1994, abandoned.

The pending claims of the present application's grandparent, the '571 Application, stand finally rejected over U.S. Patent 1,913,283 to McCormick et al. in view of U.S. Patent 4,689,118 to Makoui. The final rejection of these claims is the subject of a pending appeal before the Board of Patent Appeals and Interferences.

The present application's parent, the '125 Application, was filed with claims that are substantially similar to the claims of U.S. Patent 5,766,159 to Martin et al. (Martin I), which issued on June 18, 1998. The '125 Application was filed on June 15, 1999, which is prior to one year from the date Martin I was granted. No formal request for interference with Martin I was filed in the '125 Application. However, a Preliminary Amendment filed with the '125 Application states that an interference is needed between that application and Martin I. A formal request for interference between the '125 Application and Martin I will be filed soon.

2. Statement Pursuant To 37 CFR § 1.607(c)

U.S. Patent 6,063,982 to Martin et al. (Martin II) issued on May 16, 2000 and is a division of Martin I. Pursuant to 37 CFR § 1.607(c), the applicants state that the present application contains claims that are substantially similar to the claims of Martin II. The present application is being filed before one year after the date on which Martin II was granted. A formal request for interference between the present application and Martin II will be filed soon.

Because the present application and the '125 Application are both entitled to the benefit of at least the filing date of the '571 Application (January 18, 1995), and the '571 Application was filed almost six months prior to the filing of the application that issued as Martin I, applicants would be the senior party in any interference declared between the present application and Martin II or between the '125 Application and Martin I.

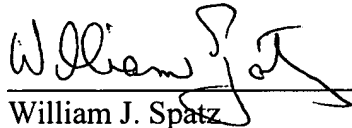
3. Statement Regarding No New Matter

Applicants note that the Figure 3 filed with the present application contains several instances of handwritten markings. Applicants believe that the Figure 3 that was filed with the '125 and '571 Applications contained the same handwritten markings, but applicants are unable to verify this fact at the present time. In any event, the present application contains no new matter compared to the '125 or '571 Applications.

Should any questions arise, the Examiner is invited to telephone attorney for applicant at 212-715-9257 (William J. Spatz) or 212-715-9472 (Louis Weinstein).

Respectfully submitted,

KRAMER LEVIN NAFTALIS & FRANKEL LLP

By: 
William J. Spatz
Reg. No. 30,108